

SUPPORT FOR THE AMENDMENTS

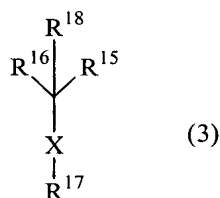
Newly-added Claims 35-52 are supported by the specification and the original claims. Accordingly, no new matter is believed to have been added to the present application by the amendments submitted above.

REMARKS

Claims 35-52 are pending. Favorable reconsideration is respectfully requested.

Applicants would like to thank Examiner Shiao for the helpful and courteous discussion held with their representative on . During the discussion, amendments to address the cited references and the restriction requirement were discussed. The following remarks expand on the discussion with the Examiner.

The present invention relates to a compound represented by the formula (3):



where

R^{15} represents a substituted pyridyl group which may have a substituent,

R^{16} represents a C_{6-14} aromatic hydrocarbon group which may have at least one substituent,

R^{17} represents a C_{6-14} aromatic hydrocarbon group which may have at least one substituent,

R^{18} represents a hydrogen atom or a C_{1-6} alkyl group, and

X represents -S-, -SO- or -SO₂-;

or an N-oxide or S-oxide of thereof; a salt thereof; or a solvate thereof.

The rejection of the claims under 35 U.S.C. §102(b) over Anders et al. is respectfully traversed. In the compounds disclosed by Anders et al., the group corresponding to R^{15} of the claimed compounds is an unsubstituted pyridyl group. In contrast, Claim 35 specifies that R^{15} is a substituted pyridyl group. Accordingly, Anders et al. fail to disclose, or suggest, the

claimed compounds. Accordingly, withdrawal of this ground of rejection is respectfully requested.

The rejection of the claims under 35 U.S.C. §103(a) over Butlin et al. is respectfully traversed. The reference fails to suggest a compound having structure set forth in formula (3). The $S(O)_n$ group of the reference corresponds to the group X of the claimed compounds. The carbon atom adjacent to the X group is aliphatic and substituted with the R^{15} , R^{16} and R^{18} groups. In contrast, the corresponding carbon atom in the compounds disclosed by Butlin et al. is part of a substituted phenyl group. Accordingly, the claimed compounds are not obvious over Butlin et al. Accordingly, withdrawal of this ground of rejection is respectfully requested.

The rejection of the claims under 35 U.S.C. §112, first paragraph, is believed to be obviated by the amendments submitted above. One can make and use the compounds as claimed without undue experimentation in view of the disclosure of the specification in light of the state of the art. Accordingly, withdrawal of this ground of rejection is respectfully requested.

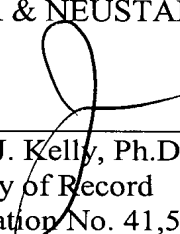
The rejection of the claims under 35 U.S.C. §112, second paragraph, is believed to be obviated by the amendments submitted above. In view of those amendments, the claims are definite within the meaning of 35 U.S.C. §112, second paragraph. Accordingly, withdrawal of this ground of rejection is respectfully requested.

Application No. 10/500,156
Reply to Office Action of February 1, 2007

Applicants submit that the present application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



James J. Kelly, Ph.D.
Attorney of Record
Registration No. 41,504

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)